



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

EPA Region 5 Records Ctr.

HSE-5J



241222

**MEMORANDUM**

**DATE:** OCT 07 1994

**SUBJECT:** ACTION MEMORANDUM request for an Emergency Removal Action at the Venture Rim Products Site, Commerce Township, Oakland County, Michigan (SITE ID# XA)

**FROM:** Stavros Emmanouil, On-Scene Coordinator  
Emergency Response Section II

**THRU:** Jodi L. Traub, Associate Division Director  
Office of Superfund

**TO:** William E. Muno, Director  
Waste Management Division

**I. PURPOSE**

The purpose of this Action Memorandum is to request your approval of \$594,000 to conduct an emergency removal action at the Venture Rim Products Site (VRP) in Commerce Township, Oakland County, Michigan. The amount of \$50,000, which was verbally approved by the Chief of the Emergency and Enforcement Response Branch (EERB) for the initial response activities conducted by the Emergency Response Cleanup Services (ERCS) Contractor, is included in the total figure. This action is necessary to abate the immediate threat to public health and the environment posed by drums found at the site, containing hazardous substances.

**II. SITE CONDITIONS AND BACKGROUND**

CERCLIS ID#: MID981191262



Printed on Recycled Paper

## A. Site Description

### 1. Removal site evaluation

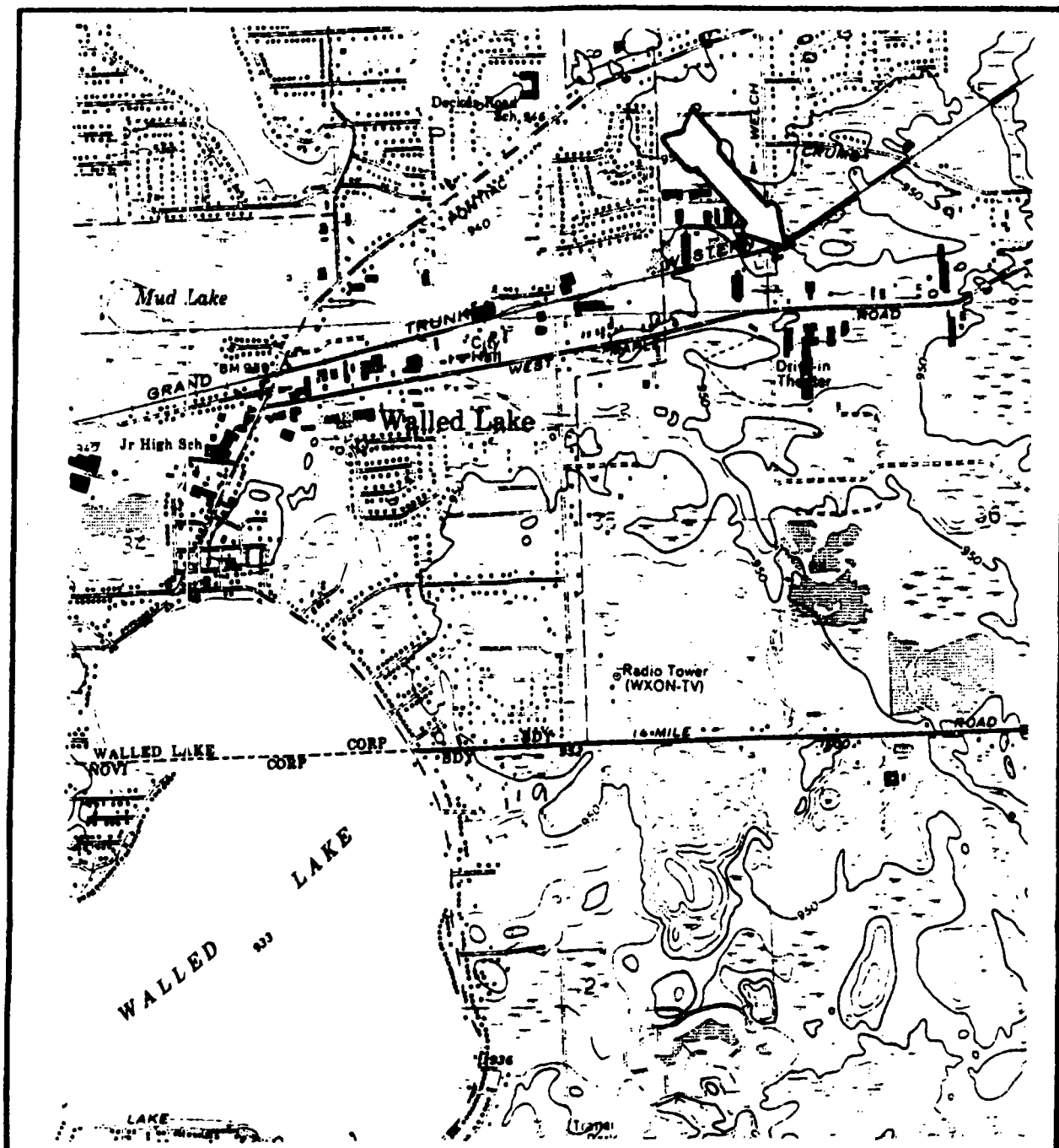
The Venture Rim Products Site is located at 1080 Welch Road, in Commerce Township, Oakland County, Michigan. It is comprised of a 34,500 square foot masonry structure on a 2.9 acre parcel. It is located 1.4 miles from the northeastern shore of Walled Lake. Land use in the area is mixed industrial, residential and recreational. The nearest homes are 0.25 mile to the southeast and the northwest of the Site. A wetland is located 40 feet to the northeast of the Site. The Site is not surrounded by a fence or any barrier that would prevent trespassers from accessing the Site.

The property has been owned by William Stocki, Judith Stocki, and Terryl Collison since October 31, 1983. The property was leased to R.I.M. Products from October 31, 1983, through July 10, 1989. R.I.M. Products manufactured injection-molded plastic bumpers for heavy vehicles. It was also leased to the Larry J. Winget Trust from July 10, 1989, through June 1, 1993. The Larry J. Winget Trust also entered into a six-month sub-lease agreement with Venture Leasing Company on July 10, 1989. Venture Leasing Company entered into a six-month sub-lease agreement with Venture RIM Products, Inc./Venture Industries Technical Development Company on July 10, 1989. The Site has been vacant for several years.

On May 27, 1994, arson destroyed the 1,600 square-foot office space and damaged a storage area at the Venture Rim Products building. The Commerce Fire Department under Chief Bolitho responded to the May 27 fire. Representatives of the Michigan Department of Natural Resources (MDNR) visited the Site on the day after the fire had been extinguished. 235 drums were found to be located in an adjacent warehouse. Approximately 20 of the 235 drums may have been exposed to high temperatures caused by the fire. Another 37 drums were found staged in an adjacent room, apparently unaffected by the fire. Large quantities of spilled chemicals covered the floor, and many of the drums had leaked their contents. MDNR officials reported a detectable chemical odor.

A subsequent inspection by MDNR on May 31, 1994, revealed that several drums were bulging and had leaked large quantities of chemicals inside the building, potentially affecting the soil and surface water on the building's east side. This MDNR inspection indicated that the following materials were in the drums: poly-ol resins; isocyanate polymer; toluene diisocyanate, and; methyl diisocyanate. MDNR observed labels on the drums stating "Mobay Poly Onyalkylene Polyol" and "Baydur 724".

On June 2, 1994, MDNR formally requested the assistance of EPA. On June 6, 1994, EPA conducted a Site assessment accompanied by MDNR representatives, the Commerce Township Fire Chief, and Site co-owner William Stocki. According to Mr. Stocki, the drums had



**FIGURE 1**

**VENTURE RIM PRODUCTS SITE LOCATION**

**Commerce Township, Oakland County, Michigan**

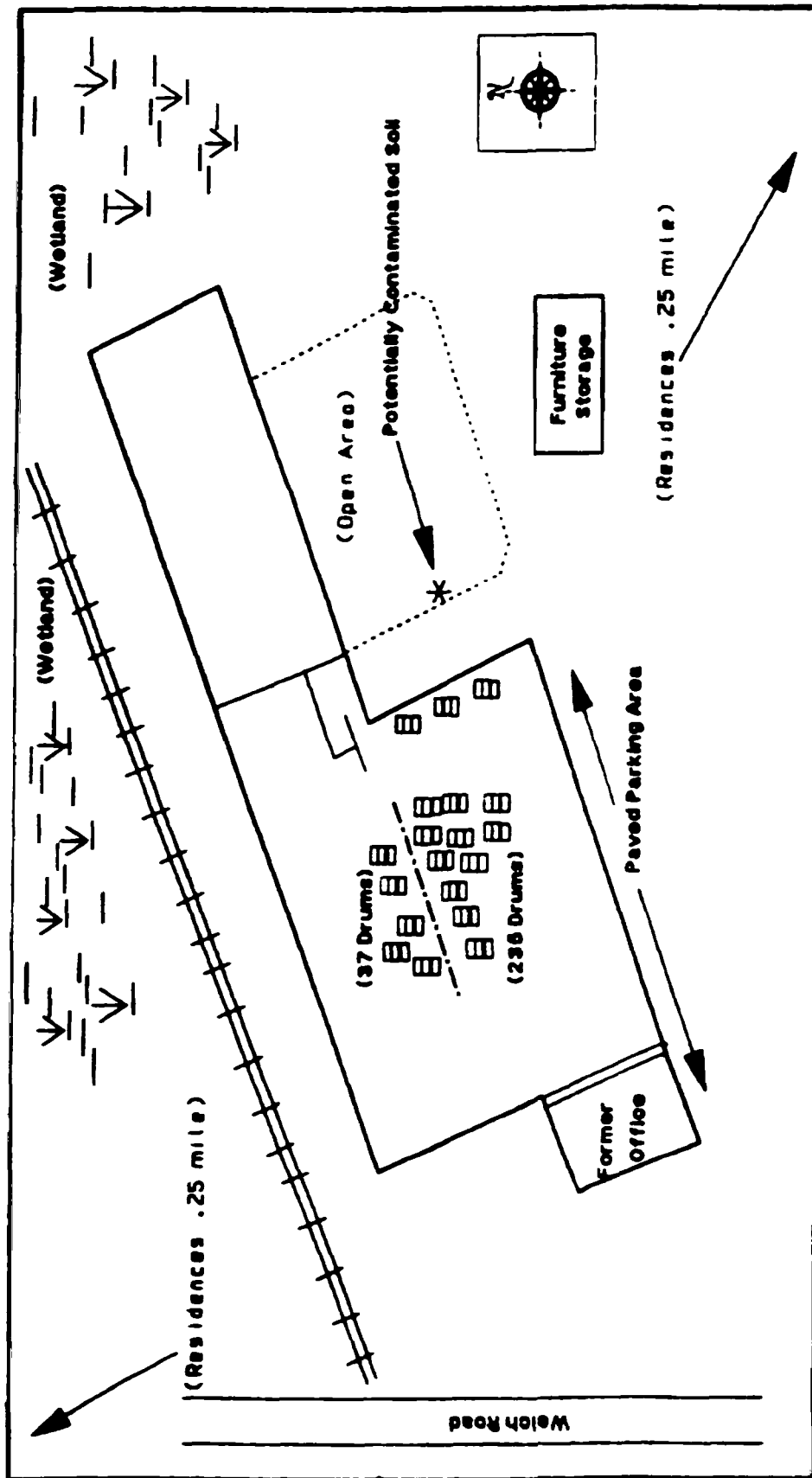
**U.S.G.S. 7.5-Minute Topographic  
Quadrangle Map, Walled Lake, Michigan**

**Scale 1:24,000**



**PREPARED BY DATE**  
**E.S. Lunde 05/16/94**

**PAK/EMI 1380SAA**  
**TRNG TDS7408001**



**FIGURE 2**

**SITE FEATURES SCHEMATIC DRAWING**

**VENTURE RIM PRODUCTS SITE**

Commerce Township, Oakland County, Michigan

DRAWN BY E.S. Landis	DATE 06/16/94	PAN # EMI1360FAA
APPROVED BY S.L. Basham	DATE 06/28/94	TDD # T059408001

been stored over two years on Site pending sale. Mr. Stocki also indicated that the property was a part of a bankruptcy proceeding. A total of approximately 285 drums were found and the majority of them were in a large room, surrounded by large quantities of spilled chemicals and sorbent material. Most drums carried labels stating that the contents were poly (oxyalkylene) polyol combined with diphenylamine or diphenylmethane 4,4'-diisocyanate (MDI). The stained soil observed by MDNR at the Site was found to not be from contaminants flowing from inside the building. There was evidence of trespassing inside the building which included vandalism and signs of arson. There was also construction debris, dumped rubbish and home appliances giving the appearance that the Site was being used as a dump.

## 2. Physical Location and Site Characteristics

The site is located 1.4 miles from the northeastern shore of Walled Lake, at 1080 Welch Road, in Commerce Township, Oakland County, Michigan (Figure 1). Land use in the area is mixed industrial, residential, and recreational. Its geographic coordinates are 42°32'33" north latitude and 83°27'25" west longitude. The nearest homes are 0.25 mile southeast and northwest of the Site (Figure 2). A wetland is just 40 feet northeast of the Site (Figure 2).

The Site is comprised of a 34,500 square foot masonry structure on a 2.9 acre parcel. On May 27, 1994, arson destroyed the 1,600 square-foot office space and damaged a storage area at the Venture Rim Products building. Although parts of the building have recently been restored, portions of the building, particularly in the drum storage area, remain damaged by fire. The Site is not fenced. Currently, there are several hundred drums and a roll-off box located on the site. Environmental audits of the Site dated April 23, 1992 and May 13, 1993, indicate there may be soil and groundwater contamination at the Site.

## 3. Release or Threatened Release into the Environment of Hazardous Substances, or Pollutants, or Contaminants

Commercial activities at the Site in the past decade have consisted primarily of the manufacture of injection-molded plastic bumpers for heavy vehicles. The Site has been abandoned for several years and the condition of the drums initially encountered at the Site suggests that the drums were stored for at least a year. The threat posed by this site stems from the presence of approximately 285 55-gallon drums, many of which have leaked their contents of MDI. Although the drums in the worst condition have been overpacked, and the loose waste initially encountered at the Site has been absorbed by sorbent material and placed in a roll-off box, neither the drums nor the roll-off box can be allowed to remain in their current location without risking exposure of nearby human populations,

animals, or the food chain to hazardous substances, pollutants or contaminants.

#### 4. NPL Status

This site is not on the National Priorities List.

#### 5. Maps, Pictures, and other Graphic Representations.

See Figures 1 and 2.

### B. REMOVAL ACTIONS TO DATE

#### 1. Previous and Current Actions

On May 27, 1994, arson destroyed the 1,600 square-foot office space and damaged a storage area at the Venture Rim Products building. The Commerce Fire Department under Chief Bolitho responded to the May 27 fire. Representatives of the Michigan Department of Natural Resources (MDNR) visited the Site on the day after the fire had been extinguished. 235 drums were found to be located in an adjacent warehouse. Approximately 20 of the 235 drums may have been exposed to high temperatures caused by the fire. Another 37 drums were found staged in an adjacent room, apparently unaffected by the fire. Large quantities of spilled chemicals covered the floor, and many of the drums had leaked their contents. MDNR officials reported a detectable chemical odor.

A subsequent inspection by MDNR on May 31, 1994, revealed that several drums were bulging and had leaked large quantities of chemicals inside the building, potentially affecting the soil and surface water on the building's east side. This MDNR inspection indicated that the following materials were in the drums: poly-ol resins; isocyanate polymer; toluene diisocyanate, and; methyl diisocyanate. MDNR observed labels on the drums stating "Mobay Poly Onyalkylene Polyol" and "Baydur 724"

On June 2, 1994, MDNR formally requested the assistance of EPA. On June 6, 1994, EPA conducted a Site assessment accompanied by MDNR representatives, the Commerce Township Fire Chief, and Site co-owner William Stocki. According to Mr. Stocki, the drums had been stored over two years on Site pending sale. Mr. Stocki also indicated that the property was a part of a bankruptcy proceeding. A total of approximately 285 drums were found, and the majority of them were in a large room, surrounded by large quantities of spilled chemicals and sorbent material. Most drums carried labels stating that the contents were poly (oxyalkylene) polyol combined with diphenylamine or MDI. The stained soil observed by MDNR at the Site was found to not be from contaminants flowing from inside the building. There was evidence of trespassing inside the building which included vandalism and signs of arson. There was

also construction debris, dumped rubbish and home appliances giving the appearance that the Site was being used as a dump.

Upon obtaining the authority to access the Site, EPA initiated Site-stabilization activities on June 10, 1994. These activities included the marking, logging, and staging of all drums at the Site on a plastic liner in a secured area of the building. All damaged or leaking drums were overpacked. All spilled material was collected and placed into a plastic-lined roll-off box and the floors were swept of residual material. Upon completion of these stabilization activities, the building was boarded closed and locked on June 16, 1994.

### C. STATE AND LOCAL AUTHORITIES' ROLES

#### 1. State and Local Action to Date

Following the May 27, 1994 fire, MDNR completed an investigation and funded the cost of sorbent and its placement. Fifteen to 20 cubic yards of granular sorbent were applied to halt migration of the spilled chemicals.

#### 2. Potential for Continued State/Local Response

Oladipo Oyinsan, District Supervisor of the Emergency Response Division, MDNR, formally requested the assistance of U.S. EPA on June 2, 1994. The U.S. EPA OSC has contacted Richard Berak of the Environmental Response Division, Southeast District MDNR and Ronald Bolitho, Chief of the Commerce Fire Department. The OSC will keep them apprised of all actions proposed or taken at the site.

### III. THREATS TO PUBLIC HEALTH OR WELFARE, OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITY

The conditions at the VRP site meet the CERCLA criteria for a removal action as set forth in 40 CFR Section 300.415 (b) (2), which include, but are not limited to, the following:

- o Actual or potential exposure of nearby human populations, animals, or the food chain, to hazardous substances or pollutants or contaminants;

The drums and roll-off box at the Site contain MDI, which is a substance known to be toxic upon inhalation, ingestion and dermal contact. Further, MDI can decompose into yet another hazardous substance: hydrocyanic acid gas. The Site is located in a mixed industrial, residential and recreational area. Although the drums in the worst condition have been overpacked, neither the drums nor the roll-off box can be allowed to remain in their current location without risking exposure of nearby human populations, animals, or

the food chain to hazardous substances, pollutants or contaminants. This is true because the property on which the Site is located continues to be accessed by trespassers. Additionally, the portion of the building in which the drums and roll-off box are located remains fire-damaged and accessible to animals and humans. Finally, if the area where the drums and roll-off box are currently located is used for commercial storage activity, there is a risk that they may be disturbed by this activity, and exposure may result.

- o Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;

The Site is in a mixed-use area. Because there is no fence around the property, and because portions of the building are damaged by fire, the area of the Site where the roll-off box and drums are located remains accessible to animals and humans. The drums contain MDI, a substance known to be toxic upon inhalation, ingestion, and dermal contact. Further, MDI can decompose into yet another hazardous substance: hydrocyanic acid gas. Human and animal activities in the area of the site where the drums and roll-off box are located may result in disturbance of the drums and roll-off box, and may result in the subsequent release of the hazardous substances contained in the drums and the roll-off box.

- o Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;

This factor is present at the Site due to the existence of large holes in the roof and exterior walls of the building. This lack of structural integrity provides exposure to weather elements, including rain, wind, and freeze-thaw cycles. Such conditions invite degradation of the drums and roll-off box, and increase the likelihood for the release of hazardous substances.

- o Threat of fire or explosion;

This factor is present at the Site due to the history of arson at the Site, and the fact that trespassers continue to access the Site. Heat damage to the drums by any future fires will exacerbate the probability of a release of hazardous substances, particularly hydrocyanic acid, which results from the decomposition of MDI.

#### **IV. ENDANGERMENT DETERMINATION**

Given the site conditions, the nature of the hazardous substances and the exposure pathways to nearby populations described in Sections II and III above, actual or threatened releases of hazardous substances from this site, if not addressed by



implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

The presence of MDI in drums and in the roll-off box at the site presents an imminent and substantial endangerment to human health and the environment. With heat, MDI will decompose to produce hydrocyanic acid. The history of vandalism and fires on site point to the likelihood for contact between humans or animals and hazardous substances at the site. Weather is also a concern since the area where the drums and roll-off box are located remains fire-damaged and exposed to the elements.

## **V. PROPOSED ACTIONS AND ESTIMATED COSTS**

### **A. Proposed Action Description**

#### **1. Proposed Action Description**

The OSC has begun planning for the provision for post-removal site control, consistent with the National Contingency Plan (NCP), Section 300.415 (k). The following actions are proposed to mitigate the potential and actual threats to human health and the environment posed by the hazardous contaminants at the site:

- a. Provide Site security;
- b. Develop and implement a Site health and safety plan;
- c. Sample and analyze the materials in all of the containers at the Site (including the roll-off box);
- d. Develop and implement a sampling plan to address the extent of contamination at the Site; and
- e. Containerize, properly transport and properly dispose of hazardous substances at the Site, as appropriate.

The response actions described in this memorandum directly address actual or threatened releases of hazardous substances, pollutants or contaminants at the facility which may pose an imminent and substantial endangerment to public health and safety, and to the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which that property contributes to the conditions being addressed. All material transported and disposed off site will comply with the Off-Site Rule (58 F.R. 49200).

#### **2. Contribution to Remedial Performance**

The Venture Rim Products site is not on the NPL and a long-term cleanup is not planned. This removal action addresses all threats, meeting the NCP Section 300.415 (b) (2) removal criteria as identified in Section III of this Action Memorandum. Based on the available information, it is not anticipated that remedial action will be required.

### 3. Description of Alternative Technologies

The OSC will attempt to recycle the useable product within the plastics industry. Incineration may be the only viable disposal option if the drums' integrities are compromised. The spent sorbent material may be transported to a non-hazardous landfill, or incinerated, depending on its toxicity. Water used for decontamination of equipment and personnel during removal activities will be treated off site.

### 4. Applicable or Relevant and Appropriate Requirements

All applicable or relevant and appropriate requirements (ARARs) of Federal Law will be complied with to the extent practicable. Any state ARARs identified in a timely manner for this removal action will be complied with to the extent practicable. A letter has been sent to Richard Berak of the Southeast District MDNR on July 18, 1994 requesting identification of State ARARs.

### 5. Project Schedule

The on-site removal activities will require an estimated 25 12-hour work days to complete, excepting disposal delays and mobilization and demobilization time. The entire removal action is expected to be completed within 6 months.

### B. Estimated Costs

The detailed Emergency Response Cleanup Services (ERCS) contractor costs are presented in Attachment A, with the estimated project costs (rounded to the nearest thousand) presented below:

## REMOVAL PROJECT CEILING ESTIMATE

### EXTRAMURAL COSTS

Cleanup Contractor Costs	\$324,000
Contingency (20%)	65,000
Subtotal	\$389,000
Total TAT Costs, including multiplier	60,000
Extramural Subtotal	\$448,000
Extramural Contingency (25% of Extramural Subtotal, rounded to nearest thousand)	\$112,000
TOTAL EXTRAMURAL COSTS	<u>\$561,000</u>

### INTRAMURAL COSTS

U.S. EPA Direct Costs (\$30 x 300 Regional hours + 30 HQ hours)	13,000
U.S. EPA Indirect Costs (\$65 x 300 Regional Hours)	20,000
TOTAL INTRAMURAL COSTS	<u>\$33,000</u>
TOTAL REMOVAL PROJECT CEILING	\$ <u>594,000</u>

### VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Due to access concerns associated with the facility and fire damage present at the Site, delayed action may result in the release of hazardous substances from the drums and roll-off box located at the Site.

## **VII. OUTSTANDING POLICY ISSUES**

No significant outstanding policy issues are associated with the VRP Site.

## **VIII. ENFORCEMENT**

For administrative purposes, information concerning the enforcement strategy for this site is contained in an Enforcement Confidential Addendum (Attachment B).

## **IX. RECOMMENDATION**

This decision document represents the selected removal action for the VRP site in Commerce Township, Oakland County, Michigan, developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. This decision is based on the Administrative Record for the site (Attachment C). Conditions at the VRP site meet the National Contingency Plan, Section 300.415 (b) (2) criteria for a removal action and I recommend your approval of the proposed removal action. The total ceiling, if approved, will be \$594,000. Of this, an estimated \$501,000 may be used for cleanup contractor costs. Please indicate your decision by signing below.

APPROVED: \_\_\_\_\_

Director, Waste Management Division

DATE: \_\_\_\_\_

10/7/94

DISAPPROVED: \_\_\_\_\_

Director, Waste Management Division

DATE: \_\_\_\_\_

Attachments:    A. Detailed Cleanup Contractor Cost Estimate  
                    B. Enforcement-Confidential Addendum  
                    C. Administrative Record Index

cc: T. Johnson OS-210

Don Henne,

Regional Environmental Officer  
U.S. Department of the Interior,  
Custom House, Room 217  
200 Chestnut St.  
Philadelphia, PA 19106-2904

Oladiipo Oyinsan,

District Supervisor  
Emergency Response Division,  
Michigan Department of Natural Resources

bcc: A. Baumann, HSRL-5J  
D. Bruce, HSE-5J  
R. Karl, HSE-5J  
J. Cisneros, HSE-5J  
L. Fabinski, ATSDR, HSRL-5J  
O. Warnsley, CRS, HSRLT-5J  
T. Lesser, P-19J  
D. Crume, MF-10J  
EERB Read File (M. Johnson)  
EERB Delivery Order File (M.E. Gustafson)  
EERB Site File (Earl Brenneman, WMD Records Center, 7th  
Floor)  
Robert Dumelle, Contracting Officer, MCC-10J  
S. Emmanouil, On-Scene Coordinator  
C. Garypie, Attorney, ORC  
C. Graszer, Enforcement Specialist

**ATTACHMENT A**  
**DETAILED CLEANUP CONTRACTOR COST ESTIMATE**

The estimated cleanup contractor costs are as follows:

Contractor Personnel	\$	108,134.00
Contractor Equipment		16,081.54
Unit Rate Materials		21,372.00
Subcontractor Cost		50.00
Waste Transportation		162,500.00
Waste Disposal		15,495.00
TOTAL*	\$	324,000.00

\*Rounded to nearest thousand.

ATTACHMENT B  
ENFORCEMENT ADDENDUM

Redacted - not relevant to the selection of the removal action.



**ATTACHMENT C**  
**ADMINISTRATIVE RECORD INDEX**

<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
02/11/94	S. Gold	U.S. Bankruptcy Court	Motion For Order Authorizing Trustee To Abandon Commercial Real Property	4
07/29/94	RAI	U.S. EPA	Title Search	93
08/25/94	E & E	U.S. EPA	Site Assessment Report	16
09/02/94	D. Bernstein Michigan National Corp.	U.S. EPA	Information Request Response	8 (plus attach- ments)

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**CONFIDENTIAL PORTION OF AR**

<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
09/01/94	T. Bradley	U.S. EPA	Information Request Response (CBI CLAIM)	6 (plus attach- ments)